യിട്ടാണ് കാണപ്പെട്ടിരുന്നതു്. അങ്ങിനെയുള്ള അദ്ദേഹം പെട്ടെന്ന് ഹൃദയസ്തംഭനം മൂല മാണ് മരണമടഞ്ഞതു്. ഞാൻ അദ്ദേഹത്തെ കണ്ടപ്പോൾ ഏ൦ വയസ്സു പ്രായമുള്ള മരാളാ ണെന്നു് എനിക്കു തോന്നിയില്ല. അത്രയ്ക്കും ആയുർവ്വേദ വിധിപ്രകാരം ദിനചര്യ നയിച്ചിരു ന്ന ഒരു മഹാനായിരുന്ന അദ്ദേഹം. വാസ്തവത്തിൽ പരേതന്റെ ജീവിതവും ദിനചര്യയും പ്രത്യേകിച്ചു് നമ്മൾക്കെല്ലാവർക്കും മാതൃകയാണെന്നുള്ളതാണ് അദ്ദേഹത്തെ കണ്ടപ്പോൾ എനിക്കു തോന്നിയതു്. ആ പുണ്യശ്ലോകന്റെ നിര്യാണത്തിൽ ഞാനുശോചിക്കുകയും അദ്ദേ ഹത്തിന്റെ ആത്മാവിനു് നിത്യശാന്തിക്കായി പ്രാർത്ഥിക്കുകയും ചെയ്തുകൊള്ളുന്നു.

Mr. President : We bemourn the loss of a great physician and a great scholar, one of the most distinguished sons of the State and one of the distinguished scholars in the science of Ayurveda. Many of the Hon'ble Members have a very vivid re-collection of this distinguished man. I personally have got very clear recollections because in the year 1942 about this time, I was saved almost from the jaws of death by the treatment of this great physician. I suppose it is the experience of many people in the State, of having been benefited by his treatment. It was a shock to the public when the news spread that he had passed away. I associate myself with all the sentiments expressed here and I commend the resolution for the acceptance of the House and request the Hon'ble Members to pass it by standing in their seats.

Motion was passed all Hon'ble Members standing

5. Legislative Business (Bills Official)

(i) The Cochin Payment of Salaries and Allowances Act (Amendment) Bill

Rao Sahib A. Madhava Prabhu (*Chief Secretary to Government*) : Sir I beg leave of the House to introduce the Cochin Payment of Salaries and Allowances Act (Amendment) Bill.

Mr. M. Sivarama Menon (*Constitutional Adviser*) : I second it.

Rao Sahib A. Madhava Prabhu (*Chief Secretary to Government*) : The object of the Amendment Bill is to make provision for the salary and allowance of the President who has been elected. The main provisions are a salary of Rs. 4,000 per annum, a house rent allowance of Rs. 150 per mensem and a car allowance of Rs. 150 per mensem in addition to the travelling and daily allowances he would be receiving as a member of this Council. With reference to clause 2B I will propose an amendment at the proper time which will make provision for a car and an allowance of Rs. 75 for petrol and oil.

Mr. President : The question before the House is that the Cochin Payment of Salaries and Allowances Act (Amendment) Bill be read in Council.

Motion put and carried

Secretary to the Council: The title of the Bill is, the Cochin Payment of Salaries and Allowances Act (Amendment) Bill.

Rao Sahib A. Madhava Prabhu (*Chief Secretary to Government*): I request that the President may be pleased to suspend S. O. No. 32.

Mr. President: S. O. No. 32 is suspended.

Rao Sahib A. Madhava Prabhu (*Chief Secretary to Government*): I move that the Cochin Payment of Salaries and Allowances Act (Amendment) Bill be taken up for consideration.

Mr. M. Sivarama Menon (*Constitutional Adviser*) : I second it.

Motion put and carried

Clause 2 of the Bill put and carried

Rao Sahib A. Madhava Prabhu (*Chief Secretary to Government*): For clause 3 of the Bill, the following shall be substituted, *viz.*,. "After section 2 A of the Act, the following shall be inserted as section 2 B, namely:—

'2B. The President of the Legislative Council shall be given a car for his use and shall be paid—

(*i*) a salary of Rs. 4,000 per annum;

(*ii*) a house rent allowance of Rs. 150 per mensem; and

(*iii*) an allowance of Rs. 75 per mensem towards the cost of petrol and lubricating oil for the car, which he shall receive in addition to the travelling and daily allowances as a member of the Council under sub-section (2) of section 4'."

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*) : May I bring to the kind notice of the Chair that with reference to clause (2) there is something in the shape of an amendment as it is

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[Mr. P. Kumaran Ezhuthassan]

worded. That refers to clause 2 which we have already passed over. If it could be rectified it could be done now. I thought I would be called upon.

Mr. President: Does it relate to clause 3?

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): Unfortunately, I have not put it in that form I have only stated "omit the words 'and Deputy President' occuring in line 1, page 2 of the Bill".

Mr. P. Govinda Menon (*Minister for Food and Education*): Sir, I rise on a point of order.

Mr. President: Why didn't the Honble Member move it when we were on clause 2?

Mr. P.Kumaran Ezhuthassan (*Vadakkancheri*): I cannot get up in my seat unless I am called to. I thought I would be called upon to move my amendment.

Mr. President: What is the point of order?

Mr. P. Govinda Menon (*Minister for Food and Education*): The main Bill is a Bill introduced by the Government—the Cochin Payment of Salaries and Allowances Act (Amendment) Bill. It is a Bill to amend the original Act called the Payment of Salaries and Allowances Act. Now, it is up to any Hon'ble Member of this House to move an amendment to any of the provisions of that Bill, but for this Bill an amendment of this nature intended to amend the provisions of the original Act is out of order. A separate Bill must be introduced by the Hon'ble Member for that purpose. If this amendment is allowed, the result will be to amend the original Act. The Chief Secretary to Government has introduced an amending Bill. Clause 2 says, "In the preamble to the Cochin Payment of Salaries and Allowances Act, for the words "the salaries of the Minister and of the Deputy President of the Legislative Council", the words "the salaries and allowances ef the Ministers and of the President and Deputy President of the Legislative Council" shall be substituted". Now, to this clause an amendment can be moved, but the Hon'ble Member seeks to move an amendment to the original Bill.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): No, No.

Mr. President: The original Act?

Mr. P. Govinda Menon (*Minister for Food and Education*) Yes, Sir. The original Act.

Mr. President: But it finds a place in the present Blll. Therefore is not the Hon'ble Member entitled to propose amendment to that?

Mr. P. Govinda Menon (*Minister for Food and Education*): Let us look at the clause. It is to introduce the word "President" in the original Act that this amendment is proposed. "In the Preamble, for the words "the salaries of the Minister and of the Deputy President of the Legislative Council", the words "the salaries and allowances of the Ministers, and of the President and Deputy President of the Legislative Council" shall be substituted". What is the purpose of the amendment? It is only to make an addition of the word "President".

Mr. President: There is no question of amendment regarding that part of the quotation that is here, which relates to the Deputy President. For convenience sake th word "President" is sought to be introduced between the other words.

Mr. P. Govinda Menon (*Minister for Food and Education*): That is exactly my point.

Mr. President: And as the word "Ministers" also is here, so an amendment can be moved that the word "Ministers" also be omitted.

Mr. P. Kumaran Ezhuthassan (*Vadrkkancheri*): I may be heard.

Mr. President: Very good, I am prepared to hear the Hon'ble Member.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): I am becoming a sourse of comment from the first Minister in the form of a point of order, *viz.*, that my amendment which is really an amendment of clause (2) is intended to be an amendment of the original Act—that is the background of the point of order and in an enunciation of that proposition he was on the substance of the Act and said that the object is only to introduce the word "President" into the scheme and not to annihilate the Deputy President. My submission, Sir, in this, When an amending Act is brought before the Legislature any word, any comma, full stop or semi-colon that is in the amending Act is the subject matter of the amendment and any improvement, any addition, any deletion, everything like that in the body of the amendment is permissible and to say otherwise will not be to understand what the amendment bill is. Now, Sir, the words that are intended to be deleted are "the salaries of the Minister and of the Deputy President" and in their place the words "the salaries and allowances of Ministers and of the President and Deputy President of the Legislative Council" are to be introduced. Therefore, the word

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"Deputy President" is first attempted to be removed. When it is said instead of this something else go in, the other must first go out. Therefore, clause 2 is an amendment for the removal of the expression "the salaries of the Minister and of the Deputy President of the Legislative Council". All these words are the subject matter of an amendment. The method of the amendment being their removal, they should not find a place in the Act to be. It is not a removal and stop short after removing the words. The following words 'the salaries and allowances of Ministers and of the President and Deputy President of the Legislative Council" are to be introduced. Therefore, the words "and of the President", are intended to be introduced into the Act in the vaccum that is created by the removal amendment earlier referred to. The words "Deputy President" are also words to be introduced in the amendment and as I observed earlier, on any word, coma, semi colon, full stop, there is a right to move an amendment. The amendment proposed may be for the deletion of all these words, it may be for removal of one word, retention of other words, it may be in so many other ways. What I have sought is to remove the words "Deputy President" and for very good reasons which at proper time I will explain and if called upon even now I will explain because it is something relating to another amendment, or the other amendment will be a consequential amendment upon this amendment which cannot be voted out on the ground of this point of order, but on other grounds, which, of course, can be attempted at the proper time.. Therefore the point of order has no point in it. A point of order that has no point in it has only one fate, *viz.*, it shall be treated in the same manner in which some points of order are treated, *viz.*, summarily rejected. I submit, Sir, that this and this alone can be a ruling upon that which I hope I can expect.

Mr. P. Govinda Menon *(Minister for Food and Education):* With the leave of the Chair, I will bring one more fact to the kind notice of the House. In the notice of amendment given by the Hon'ble Member, there are three paragraphs; the third paragraph is "Omit clause 3 of the Act relating to Deputy President". That is to say, this is an omnibus notice, paragraphs 1 and 2 seeking to amend the Bill before the House and paragraph 3 seeking to amend the Act which came into force before. If the object of the Hon'ble Member is to be achieved, the Act also has to be amended.

Mr. President: Is No. 5 a consequential amendment upon No. 4?

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* It is consequential.

Mr. M. Sivarama Menon *(Constitutional Advisor):* One other point, Sir, is that this amendment will fall outside the powers of this House. Section 19 of the Government of Cochin Act relate to the payment of salaries and allowances to the President and Deputy President of the Legislative Council. There, it has been made obligatory to provide for such salaries and allowances. I invite the kind attention of the Chair to section 19 (4), which reads "There shall be paid to the President and Deputy President of the Council, such salaries as may be fixed by Act of the Legislature, and until provision in that behalf is so made, such salaries as His Highness may determine." The word used is "shall". Therefore it is incumbent upon this House to provide for the salaries of the President and the Deputy President. What is the use of attempting to amend the provisions made in the Government of Cochin Act which cannot be touched under the existing law. It is an obligatory expenditure which this House is bound to provide for. The amendment is ultra vires.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* On these new floods of light coming from two corners, I may be allowed to have my say, although my words may not be so illuminating.

Mr. President: The Hon'ble Member may speak if he wants.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Not that I am anxious to, but I have to. Sir, we are on the question whether my amendments will stand or not. That is the point.

Mr. President: The Hon'ble Member will note that we are on the point of order.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I was pointing out to the Chair.....

Mr. President: We are considering whether your amendment is in order.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* The substance is the words "and Deputy President" appearing in clause 2 be deleted. That is the amendment standing in my name. After the preliminary remarks made by the first Minister and replied to by me, he wants to strengthen his line of attack on my amendment by inviting the Chair's attention to my amendment No. 3 which as worded here is "omit clause 3 of the Act, *viz.*, the original payment of Salaries and Allowances Act, "relating to Deputy President". Therefore, he was arguing, Sir

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No. 3 is really out of place in an amendment to a Bill sought to be introduced here seeking the amendment of the Act and therefore, it is an additional something which gives an additional strength to his original sufficiently strong point of order which I, in my humble view characterised as a point of order without a point, and hence, eminently fitted to be ruled out. Now comes right from the other corner, from my esteemed friend, the Constitutional Adviser, by inviting the Chair's attention to section 19 (4) of the Government of Cochin Act.

Mr. M. Sivarama Menon *(Constitutional Adviser):* It is an obligatory expenditure and therefore it is ultra vires to move this amendment. That is my point.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* That is the point of your contention. There are two contentions, one may be right and the other may be wrong. Let me refer to the section.

Mr. M. Sivarama Menon *(Constitutional Adviser):* The section is there; a recent amendment.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I have not got the amendment here. If books are sent to us, the amendments must also be sent to us; otherwise how can we know them?

Mr. M. Sivarama Menon *(Constitutional Adviser):* I got it from the gazette. I will pass on the book to you.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Kindly pass it on. The section reads "There shall be paid to the President and Deputy President of the Council, such salaries as may be fixed by Act of the Legislature, and until provision in that behalf is so made, such salaries as His Highness may determine". It was argued that because of the existence of the word "Deputy President" in that amended section, we come to this, that my amendment which is the subject matter of the point of order is something which is out of order; my amendment is out of order for the reason that it refers to an item of expenditure which is obligatory, if I get you right.

Mr. M. Sivarama Menon *(Constitutional Adviser):* Yes, right.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I think when an attempt is made by opposing by that corner, it is necessary to spend serious thought in replying and I am ready to admit that the matter has sprung upon me as a surprise, but I am taking time to find out a suitable reply. Now, the answer I have to that point raised by the Hon'ble Member is that an item of expenditure which is made obligatory under the Constitution Act of Cochin is a matter which cannot be touched by the Legislature, I fully understand, the only authority that is competent to deal with it is the Government, I do understand that; now, Sir, my amendment if accepted will be a matter which will necessitate in its turn an amendment which Government alone can do, to remove the name of the Deputy President from that section, which I am sure if it is the wish of the House that the Deputy President is an unnecessary fixture in the new setting, *viz.*, a full-time, full-fledged non-official President, in contradistinction to a part-time official Diwan-President, with all the difference that these two expressions mean and the consequence which these two positions will work out, in the case of the elected President, our president, it will be the lookout of the President to see that he is in the Chair as much as possible.....

Mr. President: What about the admissibility of the amendment? We are not on the desirability of having a Deputy President.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I am sorry I have not been able to express briefly. With the happy advent of the President, practically do we require or feel the necessity for the fixture of a Deputy President which in the earlier days was a necessity, a compelling necessity, because the Diwan would go for lunch and he will be having a nap after that, which he eminently deserves, there was crying need for the Deputy President.....

Rao Bahadur T. K. Nayar *(Minister for Public Health):* We are not on the merits of the amendment.

Mr. President: That is what I say.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* If an illustration is resented either by the Ministerialist benches or the Chair, I will sit down. The point of order is pointless. I have nothing more to add.

Mr. President: I can assure the Hon'ble Member that neither the Chair nor the House resents it.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Then I may be allowed to continue. Whenever I am on the fringe of irrelevancy that may be pointed out to me, then immediately I will retreat.

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Rao Bhadur T. K. Nayar (*Minister for Public Health*): Here is a point of order raised that the present amendment is out of order. We were hearing the Hon'ble Member and he is not on the point.

Mr. President: I think, if I understood him correctly, he says that the present President need not have his lunch nor a nap. Let us have some patience and see what he is leading to.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): I don't want to be deliberately misunderstood and interrupted. If any corner of the House is not prepared to let me speak—I am referring to the expression "we were hearing".....

Mr. President: The Hon'ble Member will continue his speech.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): I was on the position of Deputy President. It was a compelling necessity to have a Deputy President.,..

Rao Bahadur T. K. Nayar (*Minister for Public Health*): Even now I raise the same point.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): I am in possession of the House. When an Hon'ble Member is in possession of the House the rules of practice of this House.....

Mr. President: The Hon'ble Member will note that the question of the desirability and the necessity of a Deputy President is not relevant to the question at issue. Will the Hon'ble Member please explain the point of order.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): With that tip from the Chair and that ruling, I am constrained now to submit that the amendment of mine on clause 2 on which this point of order was raised and subsequently reinforced by argument and what is immedi ately....

Mr. President: Will the Hon'ble Member avoid such things, that were commented upon. Without repetition, will the Hon'ble Member be pleased to deal with the point of order?

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): Being on the point of order, I continue from where I stopped and say that when we have an elected President there is no necessity for a Deputy President and therefore in the Preamble if we retain the word Deputy President it will be unnecessary. Since I have got a sense of relevancy and consequence in order to see that item No. 3, is carried, that the Office of the Deputy President be abolished, I have tabled this amendment. Unless you look at the start you will fumble at the later stages. Therefore these are co-related things. My amendment No. 2 and No. 3 are co-related and therefore I want in the name of cogency to have these considered. If they are not acceptable they may go. There is no point in the point of order.

Mr. President: These amendments are out of order.

Rao Sahib A. Madhava Prabhu (*Chief Secretary to Government*): I have moved my amendment.

Mr. Paul P. Mampilly (*Advocate-General*): I second the amendment.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): Even on this amendment I wish to make some observations. I am glad to note that within a few days the Government have grown wiser because they came forward with the Bill which crisply may be characterised as one—the proper use may not be to the taste of many—they have proposed in the original, a sum of Rs. 4,000 for an elected President, then a pittance of Rs. 150 as House allowance another pittance of Rs. 150 as car allowance with a most objectional clause following that this will be in addition to the travelling and daily allowance that he is entitled to as a member of this House. That is the substance of the original Bill. I do not in the least hesitate to say that the Government, whoever, or whatever is meant by that expression which was for that Bill must be considered to be a Government which has no sense of proportion, which has no sense of value, which has not understood what an elected President of the Legislative Council is, what his stature is, what his importance is. He is according to me, Sir, a Vinculum between the people and the Government, a connecting link between the Government and people a person who occupies a position which I repeated, used to hammer in this House can be a chair which according to me is second only to hat seat which is the fountain of all justice in Cochin, namely, the throne. The throne is the first Chair, the elected President's chair is the second in the realm, please remember. For the occupant of that place, if the Government thought the pittance of Rs. 4,000 is ample remuneration for the high onerous duties that he is expected to discharge—and I am sure any occupant of that Chair will discharge it is insulting to that individual Rs. 4,000 per annum, a pittance of Rs. 150 as House allowance and Rs. 150 as car allowance for that individual of eminence who is bound to remain in Ernakulam with all that means. I may characterise this Bill Sir, conceived by whomsoever it be, as not only a wanton insult but an unpardonable foolishness. And therefore, it is that I submit that even a couple of days after this monumental foolishness of theirs it is extremely gratifying to note that they have grown slightly wiser but very,

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very slightly, just like the Cochin Government of these days and there was the thing, of course I don't want to take the credit but if it is due to me, and I think I can claim it. The amendment is attempted after I have tabled my amendment which I consider to be an amendment which must be wholeheartedly accepted and acted upon by the Government because I am one who has been able to study the stature of the occupant of the high office, who has been spending a thought upon the duties of that office and with that background I thought that the subject matter of my amendments are the only clauses that ought to find a place in the amending Act, whether they are brought forward by the Government or accepted as an amendment moved by us, let alone that question of the poor me being a contestant to that seat. Under the circumstances I know your glee, there are persons in this House who think like that but I don't think so. I have seen the full stature of the President whoever he be. My contest for that office was as protest against the barbed wire areas.

Mr. P. Sankara Menon (*Trichur-North*): We thought that it was the poor agriculturists' money.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Your consideration for the peasents where you were not pleased to give them a subsidy, where you are the guardian angels, you voted against a subsidy, Oh! God! Please don't say such things. You have a future, my young friend and don't spoil it. I was on the late bit of wisdom that flowed into the head of Government within two days. I was submitting that probably as a result of my amendment this amendment was conceived after the receipt of my own amendment. I can claim to be the tutor or the person who put that wisdom into Government. That is the point.

Mr. P. Govinda Menon *(Minister for Food and Education):* The Devil will get his due.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Certainly, because you are the first Minister. My submission, Sir, is this. Nothing short of what is mentioned in my amending clause will be sufficient because I have stated in my amending clause a salary of Rs. 6,000. I have quoted the Ministers as far as the salary is concerned and that for very good reasons, because that is the practice obtaining elsewhere. With regard to the car the Government have been pleased to provide a car for the elected President, I am glad that you have at least been wise enough to see that our elected President has got a car, but not a car that I saw him travelling the other day, but a tip top brand new car which must be known, not for advertisement of the car, but it must be such a car in which the elected President, the spear head of the House of the representatives of the people is travelling, that, at a distance we must know our President is coming. I am not taking this in a light-hearted manner and not in the sense that I was hoping to be there and therefore providing, certainly not, I have got a great admiration for that office. As I said it is a high office and you must behave as it becomes in your dealings with the Chair, not in matters of Bills but in any dealing with that office, your attitude must be, you must approach that office and the occupant from time to tine of that office with the reverence, with the feeling at heart that you have when you go to pay your respects under the orders of the seat of all justice. The man who occupies that office is there not to get the emoluments which after all is only Rs. 500 which is nothing. I am sure the present incumbent will certainly be glad even if the post is honorary because he does not need any payment and no man can occupy that seat for the few rupees that may go into the hands month after month but for the dignity, for the honour, for the powers that office confers. It is in that spirit that you have to look at it. Therefore, Sir, I submit, this is an amendment which I have to strongly oppose.

Can I speak on my amendment? In contradistinction to similar provisions in the Act dealing with the provision of cars to the Ministers. let us compare. My amendment is nothing but a copy of the corresponding provision for the Ministers in the State.

Mr. President: Is the Hon'ble Member moving his amendment ?

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I have got an amendment to clause 3 that may also be moved and the discussion can go on.

Mr. President: Yes.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* That is, the Bill moved in the amended form, as against that, I want this thing brought in here in the amended form, the Chief Secretary's Bill to be recast as read below:—

"2B. (*i*) There shall be paid to the President the same pay and Dearness allowance as are being paid to the Minister from time to time."

My attempt, Sir, is to copy the corresponding provision with reference to the Ministers' salary and daily allowance. Now, if it is acceptable to the Ministers, although the Chair may probably say otherwise, I have only to say that it is equated with the Minister's. His superiority over them lies in other things.

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"(*ii*) Government shall provide the President throughout his term of office—

(*a*) with a furnished residence without payment of rent or hire or other charges, and

(*b*) with a car for his use free of all charges except the cost of petrol and lubricating oil."

These Sir, are the corresponding provisions with regard to provisions for the Ministers, and then

(*iii*) "The President shall be paid a fixed allowance of Rs. 50 per mensem to cover the charges for petrol and lubricating oil for the car provided for his use under sub-section (*ii*) (*b*)."

Now the only difference that I have made in the shape of money payment is that as far as this portion is concerned the cost of petrol and lubricating oil for the car is to be furnished free of cost as early as possible on the line of the supply of car to the Ministers. As far as the Ministers are concerned, a larger amount has been provided because of the fact that they have to make necessary and unnecessary tours throughout the State—of course I have made a reduction from that *viz.*, Rs. 100 I have reduced it because our elected President is to be permanently at head-quarters. He has to be furnished with a house not so lavishly furnished—as is seen a small amount of Rs. 30,000 was fought against by me—but let it be furnished in a manner becoming a house that ought to be occupied by the occupant of the second seat in the land the occupant of the first seat being or rather living the life that he is leading there, abstemious, high thinking, a model for persons who follow both on the male line and in the female line.

Those who do not know of what I say may please take a trip to that side and study it. I am not for lavishly furnishing the President's House, but let it not be understood as abstemious furnishing. It must be becoming the position of our elected President, but much less than the large amount that has been spent upon furnishing the Ministers' house. That is what I want. I have, in my Bill, as far as the cost of petrol and lubricating oil is concerned I have reduced it by 50 per cent; because his movements will be for very necessary purposes between his house and the Secretariat which is going to be created, which I want the President will develop before the Budget Session and necessary movement to other places. Therefore not much of petrol or lubricating oil is necessary as is wanted for the Ministers. Hence a cut of 50 per cent is made. That is the only reduction I have made in the matter of money. And thereby I have vetoed Sir, that insult—a pittance of Rs. 150 paid to the Ministers as house rent allowance, car, petrol, lubricating oil, stationery, and all that. When the Ministers whose protection lies in him in this House get a car with a Government hatted chauffeur, the car being allowed to be sent to the Mechanical Office at any time when they want to do so, whether wanted or not and all that .....It is in their original Bill, which is there also in the redrafted Bill—to avoid all that I have made this provision, that the President of the Legislative Council be given a car free of all charges.

The other insulting thing in the Chief Secretary's Bill is that in addition to Rs. 75 the President shall receive travelling and daily allowances as a member of this House. This equation of the President of House with the other member of this House is objectionable Sir, although it is as a member of this House that he was elevated to that place. He is never to be equated with a member whether it is in the case of T. A. or D. A. He is far high and therefore I have provided as against the Chief Secretary's provision "the President shall be entitled to T. A. and D. A. at such rates as the Minister may be entitled to from time to time". And in the case of the Ministers also it was my fight that they should be equated with the Diwan in the matter of T. A. and D. A. that such a provision was made; and therefore, I have worded it in that form, *i.e.*, the President shall be entitled to T. A. and D. A. at such rates as the Ministers may be entitled to, from time to time. Because, supposing another set of Ministers come in, and if they say that the D. A. is to be Rs. 50—there may be such Ministers in this State—we do not want—it is my intention that our elected President shall also get the same. D. A. means what ought to be paid for the out-of-pocket expenses that you have to incur and therefore whatever is applicable to the Ministers from time to time may be made applicable to the President also, with this difference that his movements being not as much as the necessary movements of a Minister, the charges for meeting the expenditure for petrol and lubricating oil might be reduced. I think I have touched on all the points. Therefore, Sir, I oppose every portion of the Government Bill and in that place I want my amendment, I don't read it; that is replacing the Hon'ble Chief Secretary's amendment Bill by this. That is what I have been labouring for. I believe I have not been going in a wrong line. I believe I have done what ought to be done to the office and to the occupant, and I believe that my motion has the whole-hearted support of this House. In spite of the fact that this was brought by me.

Mr. President: Anybody seconding the amendment?

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Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): Nobody comes forth Sir. The motion fails, and let the world know where we are.

Mr. President: Since there is nobody to second the amendment, the amendment is lost.

We have only one other amendment before the House, *i.e.* Mr. P. Narayana Menon's, but he is not in his seat.

Mr. Presid nt: The question before the House is that clause 3 of the Cochin Payment of Salaries and Allowances Act (Amendment) Bill be amended as proposed by the Chief Secretary to Government.

Amendment put and carried

Mr. President: The question is that clause 3 of the Amendment Bill as amended stands part of the Bill.

Clause as amended put and carried

Mr. President: The question is that clause I Title and Preamble stand part of the Bill.

Clause I put and carried

Rao Sahib A. Madhava Prabhu (*Chief Secretary to Government*): With your leave Sir, I request that the Bill may be taken up and finally passed tomorrow.

Mr. President: The question is, the Bill be taken up and finally passed tomorrow.

Mr. M. Sivarama Menon (*Constitutional Adviser*): I second it.

Mr. President: The motion is carried and the Bill will be taken up and finally passed tomorrow.

(ii) The Cochin Court Fees Act (Amendment) Bill

Mr. Paul P. Mampilli (*Advocate-General*): I beg to move, Sir, that the Cochin Court Fees Act (Amendment) Bill be read in Council.

Mr. M. Sivarama Menon (*Constitutional Advisar*): I second it.

Mr. Paul P. Mampilli (*Advocate-General*): The purpose of the amendment is explained in the objects and reasons. It is to bring the law in Cochin in conformity with that in force in the Madras Province. Under the existing law, the fee payable in respect of a copy or translation of a judgment or order of a Criminal Court is calculated at the rate of 8 annas for every 360 words or part thereof contained in the judgment. Now, according to the amendment only a fee of 8 annas need be payable in respect of such an order. The fee payable in respect of a judgment or order of a Civil Court other than the High Court is only 8 annas, if the subject matter of the judgment or order is not above Rs. 50. The provision of law in the Madras Province as amended by Act V of 1122 provided only 8 annas for such a document. It is desirable that the provision in our law may also be made to conform to the provision of law existing in Madras Presidency. Hence the Bill.

Mr. President: The question is that the Cochin Court Fees Act (Amendment) Bill be read in Council.

Mr. M. Sivarama Menon (*Constitutional Adviser*): I second it.

Secretary to the Council: The title of the Bill is the Cochin Court Fees Act (Amendment) Bill.

Mr. Paul P. Mampilli (*Advocate-General*): I beg to move that S.O. 32 be suspended and the Bill may be taken up for consideration.

Mr. President: Yes. S. O. 32 is suspended.

Mr. Paul P. Mampilli (*Advocate-General*): Sir, I beg to move that the Cochin Court Fees Act (Amendment) Bill be taken up for consideration.

Mr. M. Sivarama Menon (*Constitutional Adviser*): I second it.

Mr. President: The question is that the Cochin Court Fees Act (Amendment) Bill be taken up for consideration.

Motion put and carried

Mr. President: The question is that clauses 1 and 2 of the Bill stand part of the Bill.

Motion put and carried

Mr. President: The question is that the title and preamble stand part of the Bill.

Title and preamble put and carried

Mr. Paul P. Mampilli (*Advocate-General*): I beg to move that the Bill may be taken up and finally passed tomorrow.

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